

IMPORTANT NOTICE TO ARREST WARRANT APPLICANTS

Under Georgia law (O.C.G.A. 17-4-40), the majority of circumstances require that arrest warrant applications be scheduled for a hearing. To schedule an arrest warrant hearing, the court must attempt to notify the person, whose arrest is being sought, of the date, time, and location of the hearing. Upon filing this warrant application, it becomes public information. The accused will be mailed a copy of your application.

TO FILE AN ARREST WARRANT APPLICATION:

The completed arrest warrant application must be paid for and filed at the clerk's office between the hours of 8:00 a.m. to 4:30 p.m., Monday through Friday, excluding holidays. There are no exceptions to these time periods.

State law provides that the applicant, unless involved in a domestic violence situation, shall pay a non-refundable application of \$10.00 for each warrant application you choose to file.

The applicant must provide the full name, complete address, and physical description, including date of birth, of the person whose arrest is being sought. The applicant may only include one person to be arrested per application.

The applicant must give a full description of the alleged crime by including the date and location of the incident. The **alleged crime must have occurred in Fayette County** in order for the hearing to be scheduled at the Fayette County Magistrate Court.

For child abandonment arrest warrant applicants, the application should not be filed unless there has been 30 days of total abandonment by the non-custodial parent, (30 days of no food, clothing, money, gifts, medical insurance, or visitation.) If the non-custodial parent lives in Georgia or out of Georgia, the application should be filed in the county of the child's residence.

If your arrest warrant application is denied or if you dismiss the application, you cannot file again on this same set of facts.

The applicant does not have the right to see a Magistrate Judge.

If you are missing any of the above information about the crime or the alleged perpetrator, you need law enforcement assistance.

This is an application to have someone arrested and will not result in an award of money damages or cause property to be returned.

Under Georgia Law, the employees of the Magistrate Court's judge's office and clerk's office cannot give legal advice. The judge cannot give legal advice. If you have questions about your legal rights or what options are available, you should consult an attorney.

I have read and understand the above information about arrest warrant applications.

Signature of Applicant

Date

\$20.00 NON-REFUNDABLE APPLICATION FEE

**MAGISTRATE COURT OF FAYETTE COUNTY
APPLICATION FOR CRIMINAL ARREST WARRANT**

TODAY'S DATE _____ COUNTY OF FAYETTE

APPLICANT'S NAME _____

ADDRESS _____ CITY _____ ST. _____ ZIP CODE _____

PHONE _____

PERSON TO BE ARRESTED _____

ADDRESS _____

CITY _____ ST. _____ ZIP CODE _____

PHONE _____

AGE _____ SEX _____ RACE _____ WEIGHT _____ HEIGHT _____ HAIR _____ DOB _____

ADDRESS OF OCCURRENCE _____

TIME _____ DATE OF OFFENSE _____

LIST BELOW THE NAME, ADDRESS & PHONE NO. OF WITNESSES TO INCIDENT:

NAME _____ NAME _____

STREET _____ STREET _____

CITY _____ CITY _____

PHONE _____ PHONE _____

IF BAD CHECK, PERSON CHECK TENDERED TO: _____

STATE COMPLAINT: _____

JUDGE OR OFFICER COMMENT ONLY: _____

HAS THIS INCIDENT BEEN INVESTIGATED BY ANY POLICE AGENCY? _____

IF SO, WHICH ONE _____ CASE NO. _____

IS DEFENDANT IN CUSTODY? ____ YES ____ NO

I certify that I have applied to no other judge for a warrant on this matter.

I certify that probable cause does/does not
exist for the issuance of this warrant.
Officer applied.

SIGNATURE OF APPLICANT

I direct that pre-issuance hearing be held.

Date of hearing: _____

MAGISTRATE

MAGISTRATE